

AMENDED IN SENATE JANUARY 3, 2022

SENATE BILL

No. 377

Introduced by Senator ~~Archuleta~~ *Hertzberg*

February 10, 2021

An act to add Section 114871 to the Health and Safety Code, relating to radiologist assistants.

LEGISLATIVE COUNSEL'S DIGEST

SB 377, as amended, *Archuleta Hertzberg*. Radiologist assistants.

Existing law provides for the certification and regulation of radiologic technologists by the State Department of Public Health. Existing law authorizes the department to adopt regulations to implement those provisions, as specified.

This bill would prohibit a person from holding themself out as a radiologist assistant unless the person meets specified requirements including examination and registration. The bill would prohibit a radiologist assistant from functioning in that capacity independent of a supervising radiologist and performing specified acts. The bill would make a violation of these provisions punishable by a fine not exceeding \$5,000, imprisonment in a county jail for a period not exceeding one year, or by both that fine and imprisonment. By creating a new crime, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes-no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 114871 is added to the Health and Safety
2 Code, to read:

3 114871. (a) No person shall hold themself out to be a
4 radiologist assistant, or use the title “Radiologist Assistant”, or
5 any other term, to imply or to suggest that the person is a
6 Radiologist Assistant, unless the person meets all of the following
7 requirements:

8 (1) The person has passed the radiologist assistant examination
9 administered by the American Registry of Radiologic
10 Technologists, the radiology practitioner assistant examination
11 administered by the Certification Board for Radiology Practitioner
12 Assistants, or another examination offered by a successor or
13 comparable entity that has been determined by the department to
14 evaluate the knowledge and skills necessary to ensure the
15 protection of the public and approved by the department.

16 (2) The person maintains current registration with the American
17 Registry of Radiologic Technologists, the Certification Board for
18 Radiology Practitioner Assistants, or a successor or comparable
19 entity.

20 (3) The person is certified or permitted to conduct radiologic
21 technology in this state or possesses a radiologist assistant license
22 from another state that licenses Radiologist Assistants.

23 (b) A radiologist assistant shall work only under the supervision
24 of a radiologist and shall not function in their capacity as a
25 radiologist assistant independent of a supervising radiologist.

26 (c) A radiologist assistant shall not interpret images, make
27 diagnoses, or prescribe medications or therapies.

28 (d) A radiologist assistant may administer prescribed drugs only
29 as directed by a supervising radiologist or their designee.

30 (e) A radiologist assistant may communicate and document
31 initial clinical and imaging observations or procedures only to a
32 radiologist for the radiologist’s use. A radiologist assistant may
33 communicate a supervising radiologist’s report to an appropriate
34 health care provider consistent with the American College of
35 Radiology guideline for communicating diagnostic imaging
36 findings.

37 (f) A supervising radiologist may delegate to a radiologist
38 assistant, as the radiologist determines appropriate to the assistant’s

1 competence, those tasks or services that a radiologist usually
2 performs and is qualified to perform.

3 (g) A violation of this section is a misdemeanor punishable by
4 a fine not exceeding five thousand dollars (\$5,000), imprisonment
5 in a county jail for a period not exceeding one year, or by both that
6 fine and imprisonment.

7 SEC. 2. No reimbursement is required by this act pursuant to
8 Section 6 of Article XIII B of the California Constitution because
9 the only costs that may be incurred by a local agency or school
10 district will be incurred because this act creates a new crime or
11 infraction, eliminates a crime or infraction, or changes the penalty
12 for a crime or infraction, within the meaning of Section 17556 of
13 the Government Code, or changes the definition of a crime within
14 the meaning of Section 6 of Article XIII B of the California
15 Constitution.